

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

4:15CR3091

Plaintiff,

v.

MEMORANDUM  
AND ORDER

ALLEN E. PEITHMAN JR.,  
SHARON A. ELDER,  
JACIE L. SANNE,  
CORNERSTONE PLAZA, INC., and  
AEP PROPERTIES, L.L.C.,

Defendants.

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The undersigned met today with government counsel, Sara Fullerton and Steve Russell, counsel for the defendants Allen Peithman and AEP Properties, Korey Reiman, and counsel for the defendants Sharon Elder and Cornerstone Plaza, Richard Boucher, to discuss various trial matters. Prior to the meeting, counsel were provided copies of the court's preliminary jury instructions with attached Exhibit A (elements of the offenses) and Court's Exhibit 1 (indictment). The matters decided upon at the meeting are set forth below in the form of an order. Accordingly,

IT IS ORDERED that:

1. The jury will consist of 12 members plus 1 alternate.
2. The court's preliminary jury instructions (with a cover sheet added), Exhibit A (with one minor change on page A), and Court's Exhibit 1 were found acceptable by counsel and will be given to the jury.
3. Counsel for the parties will confer and will provide the court with an agreed-upon set of final jury instructions and an agreed-upon verdict form no later than Wednesday, March 15, 2017.

4. All evidence pertaining to forfeiture of property will be offered during the guilt phase of the trial, except that a defendant may testify and be cross-examined regarding forfeiture subsequent to the return of a guilty verdict.

5. The government will have 30 minutes for voir dire and 30 minutes for an opening statement.

6. Mr. Reiman will have 30 minutes for voir dire and 30 minutes for an opening statement. The defendants' motion for extended voir dire (filing no. [185](#)) is denied to the extent it is inconsistent with this ruling.

7. Mr. Boucher will have 30 minutes for voir dire and 30 minutes for an opening statement.

8. Initially, at least, trial hours will be from 9:00am until 12:00pm, and from 1:15pm until 4:45pm.

9. On the first day of trial, in order to accommodate a government witness, court will adjourn after opening statements have been made.

10. The undersigned will meet again with counsel in chambers at 9:30am on March 6, 2017, immediately prior to the start of trial.

DATED this 2<sup>nd</sup> day of March , 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge